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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,380	12/28/2000	Denny Ho	101229-00000	5574

7590 03/21/2007  
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC  
Suite 600  
1050 Connecticut Avenue, N.W.  
Washington, DC 20036-5339

EXAMINER
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CHAMPAGNE, DONALD

ART UNIT	PAPER NUMBER
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3622

MAIL DATE	DELIVERY MODE
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03/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

# Notice of Abandonment

Application No.

09/749,380

Examiner

Donald L. Champagne

Applicant(s)

HO, DENNY

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 06 September 2006.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

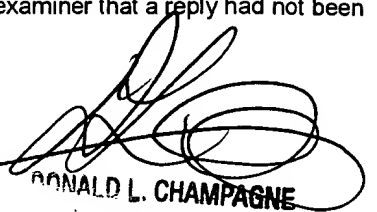
See Continuation Sheet

Donald L. Champagne  
Primary Examiner  
Art Unit: 3622

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Item 7 - Other reasons for holding abandonment: The enclosed fax was sent to the last known atty. and no reply was received. Also, in a 13 March 2007 telephone interview, Ms. Wood at the law firm of record (202-857-6000) confirmed to the examiner that a reply had not been sent.

NOTE: A form 1449 submitted with an IDS on 29 August 2006 has been certified and is enclosed. .

  
RONALD L. CHAMPAGNE  
JURY EXAMINER

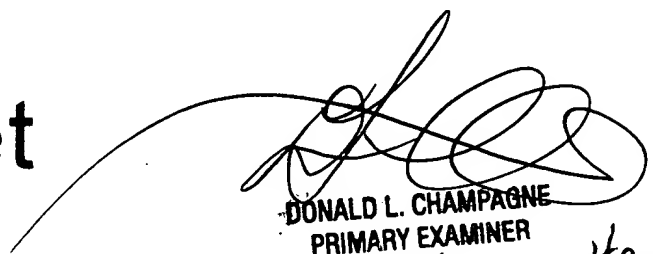


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# Fax Cover Sheet

Date: 06 Mar 2007

  
DONALD L. CHAMPAGNE  
PRIMARY EXAMINER

To: Juliana Haydoutova	From: Donald L. Champagne
Application/Control Number: 09/749,380	Art Unit: 3622
Fax No.: 202-638-4810	Phone No.: 571-272-6717
Voice No.: (202) 857-6000	Return Fax No.: (571) 273-8300
Re: 101229-00000	CC:

☒ Urgent ☐ For Review ☐ For Comment ☒ For Reply ☐ Per Your Request

Comments:

I was unable to leave a phone message for you this evening.

This application reached its ABANDONMENT date today. Please advise me (5712-272-6717) if applicant replied to the last Office action by today.

Thank you

Number of pages 1 including this page

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